

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

CLARE LOCKE LLP,

Petitioner,

v.

KYTCH, INC.,

Respondent.

Civil Action No. 1:24-cv-00545

**SUPPLEMENT TO PETITION AND MOTION
TO CONFIRM EMERGENCY ARBITRATION AWARD**

1. On April 4, 2024, Petitioner Clare Locke LLP filed its Petition and Motion To Confirm Emergency Arbitration Award (Dkt. 1). On April 12, 2024, the Emergency Arbitrator entered another order, entitled Decision and Order on Claimant's Request To Enforce Emergency Award and For Sanctions, a genuine copy of which is attached hereto as Exhibit G (the "April 12 Order").

2. In the April 12 Order, the Emergency Arbitrator explained that he was "amending, clarifying and supplementing the Emergency Award to direct Respondent to provide Claimant with the mediator's proposal and documents sufficient to show that Kytch and its adversaries in the Kytch Litigation have accepted it (as is or with modifications) immediately upon Respondent's receipt of a certification under oath or penalty of perjury from Thomas A. Clare and Elizabeth M. Locke that they and Claimant will maintain the terms of the mediator's proposal in strict confidence and use it only as needed to resolve Claimant's disputes with Kytch and related actors." April 12 Order at 4. Consistent with the April 12 Order, Clare Locke provided the required certifications and Kytch appears to have provided the required material.

3. Because the April 12 Order amended in part the Emergency Award that is the subject of the Petition, Clare Locke provides it to the Court for completeness. The most critical aspects of the Emergency Award—namely the injunction prohibiting Kytch from dismissing the cases or distributing any settlement proceeds—were in no way changed or modified by the April 12 Order and the Emergency Award remains ripe for confirmation.

PRAYER FOR RELIEF

WHEREFORE, Clare Locke respectfully requests that this Court CONFIRM the Emergency Award (as amended by the April 12 Order), enter judgment in favor of Clare Locke, and award such other relief as this Court deems just and proper.

Dated: April 16, 2024

Respectfully submitted,

/s/ C. Bryan Wilson

William T. Burke (Va. Bar No. 39326)

C. Bryan Wilson (Va. Bar No. 68803)

Perry F. Austin (Va. Bar No. 93373)

WILLIAMS & CONNOLLY LLP

680 Maine Avenue SW

Washington, DC 20024

Phone: (202) 434-5000

Fax: (202) 434-5029

E-mail: bwilson@wc.com; wburke@wc.com;

paustin@wc.com

Attorneys for Petitioner Clare Locke LLP

CERTIFICATE OF SERVICE

I hereby certify that on April 16, 2024, I served a copy of the foregoing document and a copy of the Notice of Electronic Filing via first class mail to the following:

Kytch, Inc.
Gust Delaware, Inc.
16192 Coastal Highway
Lewes, DE 19958

I further certify that on April 16, 2024, I served a copy of the foregoing document and a copy of the Notice of Electronic Filing via first class mail and electronic to the following:

Daniel P. Watkins
daniel.watkins@mwpp.com
Meier Watkins Phillips Pusch LLP
919 18th Street, NW
Suite 650
Washington, DC 20006

Attorney for Kytch, Inc. in the Underlying Arbitration

/s/ C. Bryan Wilson
C. Bryan Wilson